

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/802,220

Confirmation No. 3562

Applicant: Sunami et al.

Filed: March 17, 2004

TC/AU: 1614

Examiner: Pagonaki, A.

Docket No.: 227833

Customer No.: 23460

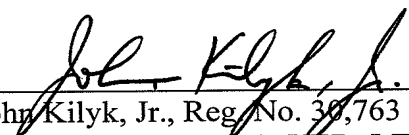
RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the "Notification of Non-Compliant Appeal Brief" dated July 21, 2009, Applicants submit the corrected section "Status of Claims" for Appellants' Appeal Brief dated June 15, 2009, as part of a corrected page 1 of Appellants' Appeal Brief.

Respectfully submitted,



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Date: July 29, 2009

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

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APPELLANTS' APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In support of the appeal from the final rejection dated October 15, 2008, Appellants now submit their Brief.

Real Party In Interest

The patent application that is the subject of this appeal is assigned to Japan Tobacco Inc.

Related Appeals and Interferences

There are no appeals or interferences that are related to this appeal.

Status of Claims

Claims 1-8 and 15-23 are currently pending and are the subject of this appeal. In particular, claims 1-5, 15, and 18-23 were filed with the patent application but were amended during prosecution. Claims 6-8, 16, and 17 were filed with the patent application and remain in originally filed form (i.e., claims 6-8, 16, and 17 were not amended during prosecution). Claims 9-14 were filed with the patent application but were canceled during prosecution.

Status of Amendments

No amendments were filed by Appellants subsequent to the final rejection dated October 15, 2008. All prior amendments have been entered by the Office.